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## INTERNATIONAL ORGANIZATIONS PANEL

WEEKLY SUMMARY NO. 3

For week ending 1 June 1948

New Palestine proposal. Following rejection of a Soviet plan for a cease fire order, similar to the one previously proposed by the US for action under Chapter VII of the UN Charter, the Security Council on 29 May adopted an amended UK resolution calling for a four-weeks cease fire agreement to permit resumption of conciliation between Arabs and Jews. Despite the fact the resolution is generally regarded as favoring the Arabs, the 1 June deadline has already been met by the Jews who accepted unconditionally, advancing, however, their own interpretation of its terms. Word has not yet come from the Arabs. In case either party fails to respond favorably, the resolution provides that sterner measures under Chapter VII may be taken under consideration.

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ICJ rules on UN Charter. First decision of the new world court -- the International Court of Justice (ICJ) -- brought some encouragement to the small UN nations who have consistently disputed the right of the five Great Powers to use their veto on membership applications. The decision resulted from a Belgian proposal adopted by the General Assembly last November calling for an advisory opinion on membership qualifications. This resolution followed a series of Soviet vetoes on Italy, Transjordan, Eire, Portugal and Finland together with a proposition to condition Italy's admission on the simultaneous approval of the Balkan satellites.

The Court decided 9 (Belgium, Brazil, Chile, China, Egypt, El Salvador, Mexico, Norway and the US) to 6 (Canada, France, Poland, UK, USSR and Yugoslavia) that UN members had no right to go beyond the simple Charter qualifications in passing on membership applications. These qualifications were enumerated: the applicant must be a state, must be peace-loving, must accept Charter obligations and must be able and willing to carry out these obligations. The votes, in the western group at least, followed no political-ideological line.

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The immediate Soviet response to this obvious rebuke was a reiteration of its familiar tenet that the Court is not a superior body and has no right to interpret the Charter. The Soviet concept of international law is confined to ordinary treaties into which the USSR voluntarily enters, reserving to itself their interpretation. USSR delegate Gromyko further stated the decision "made no difference" -- a truism in the sense that no advisory opinion has binding effect. Historically, however, the opinion is important since it represents 1) the ICJ's first decision (not, however, its first case, the Corfu Channel dispute having been referred to it early in 1947) and 2) the first instance of an international tribunal's pronouncement on the Charter of an international organization.

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Chile places dispute with USSR before UN. Chile's UN delegate Santa Cruz has placed on the agenda of the next General Assembly (GA), a dispute over the USSR's refusal to permit the Chilean Ambassador's Soviet daughter-in-law to leave the country. Santa Cruz termed the Soviet attitude a violation of human rights involving danger to peaceful relations between states. His Government, meanwhile, will permit its Ambassador and his son to leave their post without the son's wife, simultaneously liberating the presently interned Soviet mission in Santiago.

The Chilean delegation originally considered bringing the matter before the UN Interim Committee (IC). The USSR is not a member of the IC having denounced as illegal the creation of that body last fall subsequently maintaining its refusal to participate. In view of this fact, the US delegation informed Santa Cruz it could not support any proposal adding the matter to the IC agenda. The State Department viewed such a course as a threat both to the case and to the IC since the absence of the USSR of necessity would "mar the cogency" of the IC report to the GA. The US had no objection to placing the matter on the regular GA agenda however.

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